

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:09-00271

CLARK A. DIEHL

MOTION TO FILE TAX DIVISION APPROVAL

Comes now the United States of America, by Hunter P. Smith Jr., Assistant United States Attorney for the Southern District of West Virginia, in response to the direction of the Court that it file with the Court evidence of the approval by the Department of Justice, Criminal Tax Division, of the Title 26 charge contained in the Information in this case.

Attached to this motion is a letter dated December 28, 2007, containing Tax Division approval for the charge as reflected by the signature of Bruce M. Salad, Chief, Southern Criminal Enforcement Section. The United States respectfully moves the Court to order that this letter be filed.

Respectfully submitted,

CHARLES T. MILLER
United States Attorney

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "Motion to File Tax Division Approval" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this the 15th day of January 2010, to:

Benjamin L. Bailey, Esquire
209 Capitol Street
Charleston, WV 25301

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